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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,874	02/27/2002	Greg Johnson	33692.02.0054	7242
23418	7590	05/26/2005	EXAMINER	
VEDDER PRICE KAUFMAN & KAMMHOLZ 222 N. LASALLE STREET CHICAGO, IL 60601			SHAH, NILESH R	
			ART UNIT	PAPER NUMBER
			2195	

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/084,874

Applicant(s)

JOHNSON ET AL.

Examiner

Nilesh Shah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/27/03, 11/10/03</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-6 are presented for examination.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - a. A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sravanapudi et al (US 2001/0049603) (hereinafter Sravanapudi) in view of Luther (5,640,590).
4. Sravanapudi et al was cited in IDS filed on 5/27/03
5. As per claim 1, Sravanapudi teaches the invention substantially as claimed including a method for multimodal communication comprising:  
  
analyzing fetched modality specific instructions for at least one modality associated with a first user agent program to determine if the modality specific instructions(par. 0034); if detected, providing modality specific instructions for at least a second user agent program operating in a different modality (par. 0034; par. 0036; par. 0051-0054;par 0085).  
  
Sravanapudi does not specifically teach the use of different tags.

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Luther teaches the use of different tags for each command (col.8. lines 20-30; col.9 lines 1-15).

6. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Sravanapudi and Luther because Luther's method of using tags to call a command would improve Sravanapudi's system by allowing an identification system for the commands.
7. As per claim 2, Sravanapudi teaches a method including fetching a markup language form written in a base markup language representing modality specific instructions for at least one of a plurality of user agent programs, and wherein the markup language form contains the concurrent multimodal tag identifying modality specific instructions for another user agent program operating in a different modality(par. 0034; par. 0036; par. 0051-0054; par. 0059).

Luther teaches the use of different tags for each command (col.8. lines 20-30; col.9 lines 1-15).

8. As per claim 3, Sravanapudi teaches a method wherein if the concurrent multimodal tag is not detected, the method includes transcoding a set of the fetched modality specific instructions for the first user agent program associated with one modality into a base markup language form with data identifying modality specific instructions for a different modality (par. 0051-0054; par. 0059).

9. As per claim 4, Sravanapudi teaches a method wherein the data identifying modality specific instructions for a different modality includes a concurrent multimodal tag embedded in the based markup language form (par. 0056-0057).
10. As per claim 5, Sravanapudi teaches a method including the step of during a session, synchronizing output from the first and second user agent programs based on the modality specific instructions (par. 0051-0059).
11. As per claim 6, Sravanapudi teaches a multimodal network element comprising:  
providing modality specific instructions for at least a second user agent program operating in a different modality(par. 0034; par. 0036; par. 0051-0054;par 0085).; and  
a multimodal synchronization coordinator, operatively coupled to the markup language form interpreter, and operative to synchronize output from the first and second user agent programs based on the modality specific instructions (par. 0051-0054).  
Luther teaches the use of different tags for each command (col.8. lines 20-30; col.9 lines 1-15).

### ***Conclusion***

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nilesh Shah whose telephone number is (571)272-3771.  
The examiner can normally be reached on 9-5.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571)272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nilesh Shah  
Examiner  
Art Unit 2195

NS  
May 10, 2005

  
**MENG-AL T. AN**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**